

Chairperson Bobby Gutierrez
Vice-Chairperson Leo Gonzalez
Parliamentarian Kevin Krolczyk

Commissioners
John Bush
Cathy Conlee
Kyle Incardona
Prentiss Madison
Reuben Marin
Robert Swearingen



MINUTES

**BRYAN PLANNING AND ZONING COMMISSION
REGULAR MEETING
THURSDAY, JULY 7, 2016 – 6:00 P.M.
COUNCIL CHAMBERS, BRYAN MUNICIPAL BUILDING
300 SOUTH TEXAS AVENUE, BRYAN, TEXAS**

Disclaimer: The meeting minutes herein are a summarization of meeting procedures, not a verbatim transcription

1. CALL TO ORDER.

Chairperson Gutierrez called the meeting to order at 6:08pm.

Commissioners	Present	2016 Regular Meetings Held	2016 Regular Meetings Attended	Regular Meetings Held During Last 6 Months	Regular meetings Attend During Last 6 Months
John Bush	Y	11	11	10	10
Cathy Conlee**	Y	11	10	10	9
Leo Gonzalez	Y	11	11	10	9
Bobby Gutierrez	Y	11	11	10	10
Kyle Incardona	N	11	10	10	8
Kevin Krolczyk	Y	11	9	10	8
Prentiss Madison	Y	11	10	10	10
Reuben Marin**	Y	11	11	10	10
Robert Swearingen	Y	11	8	10	8

**appointed to the Commission effective 1/1/2016

2. PLEDGE OF ALLEGIANCE TO THE U.S. FLAG.

Chairperson Gutierrez led the pledge.

3. HEAR CITIZENS.

No citizens came forward.

4. RECOGNITION OF AFFIDAVITS FILED IN RESPONSE TO STATE LAW ON DISCLOSURE OF LOCAL OFFICIAL'S CONFLICT OF INTEREST.

No affidavits were filed.

5. CONSENT AGENDA.

a. **Approval of corrected minutes from the regular meeting on May 19, 2016.**

b. **Approval of minutes from the workshop and regular meetings on June 16, 2016.**

c. **Master Preliminary Plan MP16-03: Hope Subdivision**

Proposed Master Preliminary Plan of Hope Subdivision, being 17.88 acres of land out of the Zeno Phillips Survey, A-45, and located southeast of the southeastern termini of Silkwood and Imperial Valley Drives in Bryan, Brazos County, Texas. (S. Doland)

d. **Final Plat FP16-09: Hope Subdivision**

Proposed Final Plat of Hope Subdivision – Phase 1, being 4.73 acres of land located generally southeast from the intersection of Imperial Valley Drive and Crystal Brook Drive in Bryan, Brazos County, Texas. (S. Doland)

e. **Right-of-way Abandonment RA16-05: Rabbit Lane**

A request to abandon approximately 0.244 acres (12,000 square feet) of public street right-of-way for Rabbit Lane, specifically along the northeast and southeast sides of Rabbit Lane adjacent to Block 1 of Trail's End Subdivision, located generally north from the intersection of Rabbit Lane and Nancy Street in Bryan, Brazos County, Texas. (R. Haynes)

Commissioner Madison moved to approve the Consent Agenda. Commissioner Gonzalez seconded the motion, and the motion passed unanimously.

6. REQUESTS FOR APPROVAL OF REPLATS – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission has final approval).

a. **Replat RP16-20: Nancy Whitlock Subdivision**

Proposed Replat of Lots 1A, 1B, and 2R in Block 1 of the Nancy Whitlock Subdivision, being 0.8073 acres of land adjoining the northeast side of the 1800 block of Nuches Lane between Primrose Street and Colson Road, located generally north of East State Highway 21 in Bryan, Brazos County, Texas. (R. Haynes)

Mr. Haynes presented the staff report (on file in the Development Services Department). Staff recommends approval of the request.

The public hearing was opened.

Christ Galindo, 3107 Rolling Glen, Bryan, Texas, applicant's engineer, made himself available for questions.

The public hearing was closed.

Commissioner Madison moved to approve Replat RP16-20, based on staff's recommendations and review which considers adherence to all pertinent state and local requirements for replatting. Commissioner Bush seconded the motion, and the motion passed unanimously.

7. REQUESTS FOR APPROVAL OF ZONING CHANGES – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission makes recommendation; City Council has final approval).

a. Rezoning RZ16-09: Leo 60, LP

A request to change the zoning classification from Agricultural – Open District (A-O) to Residential District – 5000 (RD-5) on 61.59 acres of vacant land located on the northwest side of the 2300 block of Leonard Road, approximately 150 feet to 750 feet southwest from its intersection with Jordan Loop, being Lot 1 and the reserve tract of the Follett Subdivision in Bryan, Brazos County, Texas. (S. Doland)

Ms. Doland presented the staff report (on file in the Development Services Department). Staff recommends approval of the request.

The public hearing was opened.

Mr. Michael Stafford, 3009 Westwood Main, Bryan, Texas, came forward to voice concerns regarding this request. He stated he does not want to be held responsible for buffer zone on property once housing starts to be built.

Ms. Nora Rabe and Mr. Dwight Rabe, 2703 Leonard Road, Bryan, Texas, came forward to speak in opposition to the request. Stated concerns included:

- Leonard Road will not be able to handle and sustain the kind of traffic this subdivision will require.
- The drainage is also an issue along Leonard Road and will get worse once subdivision is in place.
- Need a buffer that protect those who live adjacent and across from new subdivision.
- Maintenance, including roads, that is already a hindrance will become bigger problem when subdivision is in place.

Joe White, representing the applicants, came forward to speak in favor of the request. He stated that the development:

- will help with the downstream runoff from storm drainage and that along Leonard Road will be an extensive retention and buffer area; and
- homes will be 1500-2300 sq. ft. in size.

The public hearing was closed.

Commissioner Marin moved to recommend approval of Rezoning RZ16-09 to the Bryan City Council, and to adopt the written staff report and analysis, as the report, findings and evaluation of this Commission. Commissioner Gonzalez seconded the motion.

Commissioners commented:

- it is great to see new development on this side of town
- once the plans come in the flooding concerns can be alleviated
- Leonard Road improvements need to come

The motion passed unanimously.

b. Rezoning RZ16-10: Ray Shanaa

A request to change the zoning classification from Agricultural – Open District (A-O) to Industrial District (I) on 34.031 acres of land out of Stephen F. Austin League No. 9, adjoining the east side of N. Harvey Mitchell Parkway (FM 2818), approximately 1,500 feet to 2,500 feet north from its intersection with West State Highway 21 in Bryan, Brazos County, Texas. (S. Doland)

Ms. Doland presented the staff report (on file in the Development Services Department). Staff recommends approval of the request.

In response to questions from the Commission, Ms. Doland stated that if this property is zoned Industrial District (I), all types of uses would be allowed including sexually-oriented businesses.

In response to questions from the Commission, Mr. Zimmermann explained that a recommendation to Planned Development – Industrial District (PD-I) zoning would exclude sexually-oriented businesses, while all other development standards that apply to properties zoned Industrial District could still apply. He added that such a recommendation would not delay the applicants zoning approval timeline.

The public hearing was opened.

Mr. Fred Paine, 2101 South Texas Ave., Bryan, Texas, applicant's representative, came forward to make himself available for questions.

Mr. Jerry Shulman, 6102 Pinto Run, College Station, Texas, applicant, came forward to speak in favor of request.

The public hearing was closed.

Commissioner Bush moved to recommend Planned Development – Industrial (PD-I) for any use permitted in the Industrial (I) zoning district, excluding adult entertainment, to the Bryan City Council, and to adopt the written staff report and analysis, as the report, findings and evaluation of this Commission. Commissioner Gutierrez seconded the motion.

Commissioners commented:

- the development is a great idea for the City and for the family that started it
- anything the City can do to facilitate workforce creation is good

The motion passed unanimously.

8. REQUESTS FOR APPROVAL OF VARIANCE TO STANDARDS OF ARTICLE IV (BUILDING SETBACKS AND LOT STANDARDS) OF THE LAND AND SITE DEVELOPMENT ORDINANCE (BRYAN CODE OF ORDINANCES CHAPTER 62) – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission has final approval; applicants may direct appeals to City Council).

a. Planning Variance PV16-11: Jamie Thompson and Martha MacPherson

A request for approval of a 13-foot variance from the minimum 15-foot side building setback required on a patio/zero lot line residential home site, to allow the proposed construction of an in-ground swimming pool to extend within 2 feet of the northwest side property line on the subject property, on property located at 5006 Fairfield Court, located approximately 280 feet northwest of the intersection of Fairfield Court and Park Meadow Lane, being Lot 20 in Block 3 of the Park Meadow Subdivision in Bryan, Brazos County, Texas. (R. Haynes)

Mr. Haynes advised the applicants requested that this case be postponed to the Commission's regular meeting on August 4, 2016. They are working on rewriting their proposal and would like to have some time to do so.

Commissioner Gutierrez moved to postpone consideration of this item to the Commission regular meeting on August 4, 2016. Commissioner Bush seconded the motion, and the motion passed unanimously.

9. ADJOURN.

Without objection, Chairperson Gutierrez adjourned the meeting at 6:56p.m.

These minutes shall serve as the official findings of the City of Bryan Planning and Zoning Commission, as approved on this the **21st** day of **July, 2016**.

Bobby Gutierrez, Chairperson
Planning and Zoning Commission
City of Bryan, Texas

Martin Zimmermann, AICP
Planning Manager and Secretary to the
Planning and Zoning Commission

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